

**IN THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 4 and 7 have been amended and claims 12-19 have been added as follows:

**Listing of Claims:**

Claim 1 (original): A battery condition monitor for monitoring a condition of a battery, monitoring a capacity not to be discharged caused by an internal resistance of the battery.

Claim 2 (original): A battery condition monitor for monitoring a condition of a battery, comprising a dischargeable capacity detector for detecting a dischargeable capacity corresponding to a value of subtracting a capacity not to be discharged caused by an internal resistance of the battery from a charged capacity, and monitoring the condition of the battery based on said detected dischargeable capacity.

Claim 3 (original): A battery condition monitor for monitoring a condition of a battery, comprising a charged capacity detector for detecting a charged capacity and a dischargeable capacity detector for detecting a dischargeable capacity corresponding to a value of subtracting a capacity not to be discharged caused by an internal resistance of the battery from the charged capacity of the battery, and monitoring the condition of the battery based on said detected charged capacity and said detected dischargeable capacity.

Claim 4 (currently amended): The battery condition monitor according to claim 2 [[or 3]], wherein the dischargeable capacity detector obtains the dischargeable capacity based on a value of

subtracting a voltage drop caused by the internal resistance during discharging from an open-circuit voltage at start of discharging corresponding to discharging the battery.

Claim 5 (original): The battery condition monitor according to claim 4, wherein the dischargeable capacity detector obtains the dischargeable capacity by making allowance for a changing value of a characteristics of a charging condition of the battery and the open-circuit voltage caused by deterioration.

Claim 6 (original): The battery condition monitor according to claim 5, wherein the dischargeable capacity detector obtains the dischargeable capacity, whenever the battery is discharged, based on a ratio of a first changing value of the open-circuit voltage of a new battery against reduction of the charging condition of the battery caused by discharging and a second changing value of the open-circuit voltage of the battery against reduction of the charging condition of the battery caused by discharging, and said value of subtracting.

Claim 7 (currently amended): The battery condition monitor according to ~~any one of claims 4, 5 and 6~~ claim 4, wherein the dischargeable capacity detector obtains the dischargeable capacity based on a value by subtracting a voltage drop by the internal resistance when a peak current flows in discharging.

Claim 8 (original): A battery condition monitoring method of monitoring a condition of a battery comprising the step of monitoring a capacity not to be discharged caused by an internal resistance of the battery as a capacity not to be discharged from the battery.

Claim 9 (original): A battery condition monitoring method of monitoring a condition of a battery comprising the step of monitoring the condition of the battery based on a dischargeable

capacity corresponding to a value of subtracting a capacity not to be discharged caused by an internal resistance of the battery from a charged capacity of the battery.

Claim 10 (original): A battery condition monitoring method of monitoring a condition of a battery comprising the step of monitoring the condition of the battery based on a charged capacity of the battery, and a dischargeable capacity corresponding to a value of subtracting a capacity not to be discharged caused by an internal resistance of the battery from the charged capacity.

Claim 11 (original): A method of detecting a dischargeable capacity of a battery comprising the step of obtaining the dischargeable capacity based on a value of subtracting a voltage drop caused by the internal resistance during discharging from an open-circuit voltage corresponding to a charged capacity of the battery.

Claim 12 (new): The battery condition monitor according to claim 3, wherein the dischargeable capacity detector obtains the dischargeable capacity based on a value of subtracting a voltage drop caused by the internal resistance during discharging from an open-circuit voltage at start of discharging corresponding to discharging the battery.

Claim 13 (new): The battery condition monitor according to claim 12, wherein the dischargeable capacity detector obtains the dischargeable capacity by making allowance for a changing value of a characteristics of a charging condition of the battery and the open-circuit voltage caused by deterioration.

Claim 14 (new): The battery condition monitor according to claim 13, wherein the dischargeable capacity detector obtains the dischargeable capacity, whenever the battery is discharged, based on a ratio of a first changing value of the open-circuit voltage of a new battery

against reduction of the charging condition of the battery caused by discharging and a second changing value of the open-circuit voltage of the battery against reduction of the charging condition of the battery caused by discharging, and said value of subtracting.

Claim 15 (new): The battery condition monitor according to claim 5, wherein the dischargeable capacity detector obtains the dischargeable capacity based on a value by subtracting a voltage drop by the internal resistance when a peak current flows in discharging.

Claim 16 (new): The battery condition monitor according to claim 6, wherein the dischargeable capacity detector obtains the dischargeable capacity based on a value by subtracting a voltage drop by the internal resistance when a peak current flows in discharging.

Claim 17 (new): The battery condition monitor according to claim 12, wherein the dischargeable capacity detector obtains the dischargeable capacity based on a value by subtracting a voltage drop by the internal resistance when a peak current flows in discharging.

Claim 18 (new): The battery condition monitor according to claim 13, wherein the dischargeable capacity detector obtains the dischargeable capacity based on a value by subtracting a voltage drop by the internal resistance when a peak current flows in discharging.

Claim 19 (new): The battery condition monitor according to claim 14, wherein the dischargeable capacity detector obtains the dischargeable capacity based on a value by subtracting a voltage drop by the internal resistance when a peak current flows in discharging.